



\*Minutes subject to approval by the NC Courts Commission at the next meeting.

The North Carolina Courts Commission met on Friday, September 25<sup>th</sup>, 2020 at 10:00AM virtually on WebEx.

### Attendance

Rep. Joe John	Rochelle Sparko	Justice Anita Earls	Anna Gutierrez	Jasmine McGhee	Jim Overton	Lisa Scales	Rebecca Stevens
Judge Jay Corpening	William Childs	Judge Regina Parker	Anna Stearns	Jacob Davis	Judge Gale Adams	Lorrin Freeman	Tonya Bunn Powell
Jamie Moore	Stephanie Satkowiak	Chip Post	Becky Whitaker	Jennifer Marsh	Judge Lora Cabbage	Rep. Marcia Morey	Rep. David Rogers
Sherry Honeycutt Everett	Tanya Stauffer	Katie Hall	Branny Vickory	Rev. Greg Drumwright	Justin Brackett	Mary Nelle Smith	
Danielle Carman	Tawanda Foster Artis	LaVonda Fowler	Caroline Lassiter	George Smith III	Kris Parks	McKinley Wooten, Jr.	
Judge Angie Bullard Fox	Sen. Carl Ford	Abby Hammond	Judge Don Bridges	Gabrielle Smith	Lauren McAndrew	Morgan Weiss	
Savanna Morris	Bill Patterson	Amber Leuken Barwick	Bert Kemp	Emily Mehta	Lee Welborn	J. Patrick Haywood	
R. Locke Bell	Lori Gerber	Andrew Simpson	David Ferrell	Judge Donna Stroud	Rep. Lee Zachary	Peg Dorer	

### Call to Order

The Chair, Rep. Joe John, called the meeting to order, welcomed members of the Commission, as well as members of the public present, and laid forth the agenda for the meeting.

### Presentations

Sherry Honeycutt Everett, *Legal and Policy Director, NCCADV*, presented on the needs of domestic violence victims and courts during COVID-19. Ms. Everett discussed how COVID-19 has created a crisis within a crisis for domestic violence victims. She discussed the negative and positive impacts COVID-19 has had on DV victim's experiences in the courts. Ms. Everett asked Stephanie Satkowiak, to speak on civil court DV filings during COVID-19. While civil court DV filings are available the number of filings is high, there are long waits



for victims in the courts, multiple continuances that require multiple in person appearances, and due to court closures victims are sometimes forced to congregate with defendants. There are some remote proceedings available in certain circumstance with the victims consent, and there are a large percentage of new or modified services available to victims during the pandemic. Some barriers for victims have decreased due to virtual options. However, other statewide DV initiatives have been paused due to Coronavirus, and there is an increased demand for shelter rooms which means many DV victims are being placed in hotel rooms across the state.

Judge Don Bridges, *Co-Chair NC Judicial Branch COVID-19 Task Force, Senior Resident Superior Court Judge, Cleveland and Lincoln Counties*, and Judge Jay Corpening, *Co-Chair NC Judicial Branch COVID-19 Task Force, Chief District Court Judge, New Hanover and Pender Counties*, discussed the reports of the Judicial Branch COVID-19 Task Force. Some suggestions the task force made included an expansion of all remote court visits if possible, the physical needs of the courts, such as plastic shields and PPE, changing court scheduling to move towards specifying days and time slots when people are required to appear to cut down on crowds, and looking at safety in a new way. Courts had previously focused on physical safety but now public health is also a serious safety consideration.

McKinley Wooten Jr., *Director of the Administrative Office of the Courts*, presented on current eCourts initiatives and emphasized the particular importance of moving to an increasingly electronic environment during the pandemic. eCourts will roll out all case types and filing electronically in different pilot counties in the state, though it is still currently in development stages. The first eCourts product to launch will be eCourts Guide and File – a self-help resource for North Carolinians to make filing easier. As the product launches, only certain types of case are allowed to “Guide and File”.

Anna Stearns, *General Counsel & Chief of Staff for Chief Justice Cheri Beasley*, discussed many programs that Chief Justice Cheri Beasley has implemented. These programs include school justice partnerships aimed at reducing suspensions, expulsions, and referrals to courts by focusing on restorative justice, trauma informed practices, and de-escalation. There have been 37 new school justice partnerships since May 2019. Other programs the Chief Justice’s office has been working on include the Equal Access to Justice Commission, the NC Pro Bono Resource Center, the COVID-19 frontline health planning initiative, the COVID-19 small business/non-profit initiative, the Faith and Justice Alliance (which works to build partnerships between local faith and legal communities), the Driver’s License Restoration Project, and Second Chance Act implementation. The Chair of the Commission, Rep. John, asked for more information about DEAR (Durham Expunction and Restoration Program), which works to restore suspended licenses in Durham.

Andrew Simpson, *General Counsel for Policy and Intergovernmental Affairs*, provided a legislative update on issues affecting the judicial branch. Discussed what was achieved for the judicial branch during the short session and what the judicial branch’s priorities are going forward. These priorities include transformation of court technology (e.g. eCourts), support of court programs, local staff resources as identified by workload formulas, and funding for compensation needs for all judicial branch employees. Mr. Simpson also discussed pandemic related legislation that provided funding for the courts such as SB 836, HB 1023, and HB 1105. SB 704 also passed in the 2020 legislative session and included Courts related provisions.

Lee Welborn, *Director of Sales, Lex Loci Labs*, presented on diversionary programs in North Carolina and across the country. Discussed how diversionary programs can solve the problems caused by jails and courts being clogged by misdemeanor charges, and how misdemeanor charges disproportionately affect black



Americans. Lex Loci Labs has a diversionary program for eligible misdemeanors in Orange County, North Carolina. Referrals for that program come from state, university, and local law enforcement agencies. Lex Loci Labs offers software designed for the diversionary programs. Members of the commission, Locke Bell, Judge Regina Parker, and District Attorney Lorrin Freeman shared about diversionary programs in their areas. Representative John mentioned that the Governor's and Speaker of the House's Task Forces on Racial Equity are also looking into diversionary programs.

Jennifer Marsh, *Executive Staff, Self-Help*, discussed pretrial reform. Gave examples of pretrial reforms that could be established. These reforms included not only bail reform, but local law enforcement adoption of cite and release policies, expanding public defender's offices statewide, adopting a court rule, and establishing pretrial services offices in all jurisdictions. The court rule that Ms. Marsh suggested that the state adopt requires a judge to provide a hearing within 48 hours, that the defendant is given notice that an attorney is available, that monetary release is only used in some cases, and that there is a meaningful inquiry into the defendant's ability to pay. Ms. Marsh discussed successful pretrial services programs in Buncombe and Orange County, North Carolina. Each county had different pretrial services strategies based on their needs.

### **Adjournment and Future Commission Meetings**

Rep. John adjourned the meeting.